

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 3067-BMZHRW

Issue Date: April 17, 2020

Anthony Smodis
389 Shuniah Street
Shuniah, Ontario
P7A 3A7

Site Location: 407 Clover Beach Road East
Municipality of Shuniah
District of Thunder Bay
P7B 5E4

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

subsurface sewage disposal Works for the collection, transmission, treatment and subsurface disposal of domestic sewage with a daily sanitary sewage flow of **1,600 litres per day** located at the above Site Location, consisting of the following:

Septic Tank

- one (1) two-compartment precast concrete **septic tank**, having a total capacity of **3,600 litres** equipped with an approved effluent filter, receiving sewage from the existing 3 bedroom dwelling and discharging effluent to the Ecoflo Biofilter tertiary treatment unit described below via gravity;

Tertiary Treatment Unit

- one (1) **Ecoflo Biofilter treatment unit** (Model STB-570 PR), having a treatment rated capacity of 1,755 litres per day, installed directly on an absorption system (described below) beneath the treatment unit;

Type A Bed

- one (1) **type A bed** of a minimum area of 22 metres deep clean washed septic stone layer protected with a permeable geo-textile fabric, overlying a sand area of minimum 40 square metres consisting of a layer of sand with a minimum thickness of 300 millimetres

below the stone layer and a minimum thickness of 300 millimetres in the remainder of the sand contact area, and a percolation rate of 6 to 10 minutes per centimetre complete with a sand mantle extending a minimum of 15 metres beyond the outermost distribution pipes in any direction which the effluent will move laterally in the soil away from the dispersal bed.

including all other controls, electrical equipment, instrumentation, piping, valves and appurtenances essential for the proper operation of the aforementioned sewage works;

all in accordance with supporting documents listed in Schedule 'A'.

For the purpose of this environmental compliance approval, the following definitions apply:

1. "Approval" means this Environmental Compliance Approval and any Schedules to it, including the application and supporting documentation listed herein;
2. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;
3. "District Manager" means the District Manager of the appropriate local district office of the Ministry where the Works are geographically located;
4. "EPA" means the *Environmental Protection Act*, R.S.O 1990, c.E.19, as amended;
5. "Licensed Installer" means a person who is registered under the OBC to construct, install, repair, service, clean or empty on-site sewage systems;
6. "Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;
7. "OBC" means the Ontario Building Code;
8. "Owner" means Anthony Smodis, and includes its successors and assignees;
9. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
10. "Professional Engineer" means a person entitled to practise as a Professional Engineer in the Province of Ontario under a licence issued under the Professional Engineers Act; and
11. "Works" means the sewage works described in this Approval.

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

1. GENERAL PROVISIONS

- (1) The Owner shall ensure that any person authorized to carry out work on or operate any aspect of the Works is notified of this Approval and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
- (2) Except as otherwise provided by these Conditions, the Owner shall design, build, install, operate and maintain the Works in accordance with the description given in this Approval, the application for approval of the Works and the submitted supporting documents and plans and specifications as listed in this Approval.
- (3) Where there is a conflict between a provision of any submitted document referred to in this Approval and the Conditions of this Approval, the Conditions in this Approval shall take precedence, and where there is a conflict between the listed submitted documents, the document bearing the most recent date shall prevail.
- (4) Where there is a conflict between the listed submitted documents, and the application, the application shall take precedence unless it is clear that the purpose of the document was to amend the application.
- (5) The requirements of this Approval are severable. If any requirement of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected thereby.

2. EXPIRY OF APPROVAL

- (1) The approval issued by this Approval will cease to apply to those parts of the Works which have not been constructed within **five (5) years** of the date of this Approval.

3. CHANGE OF OWNER

- (1) The Owner shall notify the District Manager and the Director, in writing, of any of the following changes within **thirty (30) days** of the change occurring:
 - (a) change of address of Owner;
 - (b) change of Owner, including address of new Owner;
 - (c) change of partners where the Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act, R.S.O. 1990, c. B.17* ; and

- (d) change of name of the corporation where the Owner is or at any time becomes a corporation, and a copy of the “Initial Return” or “Notice of Change” filed under the *Corporations Information Act, R.S.O. 1990, c. C.39* , shall be included in the notification to the District Manager.
- (2) In the event of any change in ownership of the Works, the Owner shall notify in writing the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager.
- (3) The Owner shall ensure that all communications made pursuant to this condition refer to the number at the top of this environmental compliance approval.

4. CONSTRUCTION

- (1) The Owner shall ensure that the construction of the Works is supervised by a Licensed Installer or a Professional Engineer.
- (2) Upon construction of the works, the Owner shall prepare a statement, certified by a Professional Engineer, that the Works are constructed in accordance with this Approval, and upon request, shall make the written statement available for inspection by Ministry staff and staff of the local municipality.

5. OPERATIONS AND MAINTENANCE

- (1) The Owner shall prepare an operations manual within six (6) months of the introduction of sewage to the Works, that includes, but not necessarily limited to, the following information:
 - (a) operating procedures for routine operation of the Works; and
 - (b) inspection programs, including frequency of inspection, for the Works and the methods or tests employed to detect when maintenance is necessary.
- (2) The Owner shall maintain the operations manual current and retain a copy at the location of the Works for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.
- (3) The Owner shall prepare and make available for inspection by Ministry staff, a maintenance agreement with the manufacturer of the treatment process/technology and a complete set of "as constructed" drawings within one (1) year of construction of the Works. The maintenance agreement and drawings must be retained at the site and kept current.
- (4) The Owner shall ensure that adequate steps are taken to ensure that the area of the Works are protected from all forms of vehicle traffic and are not used for any purpose other than

sewage disposal.

- (5) The Owner shall ensure that the septic tank is pumped out a minimum of once every three (3) years or more often if required and the effluent filter is cleaned out a minimum once a year or more often as required.
- (6) In the event a break-out is observed from the bed, the Owner shall do the following:
 - (a) sewage discharge to that subsurface disposal system shall be discontinued;
 - (b) incident immediately reported verbally to the Spills Action Centre (SAC) at (416) 325-3000 or 1-800-268-6060;
 - (c) followed by a written report to the District Manager within one (1) week of the break-out;
 - (d) during the time remedial actions are taking place the sewage generated at the site shall not be allowed to discharge to a surface water body or to the environment; and
 - (e) sewage generated at the site shall be safely collected and disposed of through a licensed waste hauler to an approved sewage disposal site.
- (7) The Owner shall receive from the manufacturer or distributor of Ecoflo Biofilter Unit printed literature that describes the unit in detail and provides complete instructions regarding the operation, servicing, and maintenance requirements of the unit and its related components necessary to ensure the continued proper operation in accordance with the original design and specifications.
- (8) The Owner shall ensure that the treatment system is at minimum inspected annually by the Ecoflo Biofilter Unit authorized personnel, and maintained according to the manufacturer's recommendations including minimal yearly effluent sampling for CBOD₅ and Total Suspended Solids to ensure that it meets design objectives of 10 milligrams per litre for both CBOD₅ and Total Suspended Solids in a grab effluent sample before discharge to the subsurface disposal bed.
- (9) The Owner shall measure or estimate and record the daily volume of effluent being discharged through the subsurface disposal system.

6. RECORD RETENTION

- (1) The Owner shall retain for a minimum of five (5) years from the date of their creation, or longer if requested in writing by the District Manager, all records and information related to or resulting from the operations and maintenance activities required by this Approval, including, without restricting the generality of the foregoing:
 - (a) all maintenance records including associated log books; and
 - (b) all records of septic tank pump-out.

7. REPORTING

- (1) One (1) week prior to the start up of the operation of the Works, the Owner shall notify the District Manager (in writing) of the pending start up date.
- (2) In addition to the obligations under Part X of the EPA the Owner shall, within ten (10) working days of the occurrence of any reportable spill as defined in Ontario Regulation 675/98, bypass or loss of any product, by-product, intermediate product, oil, solvent, waste material or any other polluting substance into the environment, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken and schedule of implementation.
- (3) The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.

The reasons for the imposition of these terms and conditions are as follows:

1. Condition 1 is imposed to ensure that the Works are built and operated in the manner in which they were described for review and upon which approval was granted. This condition is also included to emphasize the precedence of Conditions in this Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. The condition also advises the owners their responsibility to notify any person they authorized to carry out work pursuant to this Approval the existence of this Approval.
2. Condition 2 is included to ensure that the Works are constructed in a timely manner so that standards applicable at the time of Approval of the Works are still applicable at the time of construction, to ensure the ongoing protection of the environment.
3. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to approved Works and to ensure that subsequent owners of the Works are made aware of this Approval and continue to operate the Works in compliance with it.

4. Condition 4 is included to ensure that the Works are constructed, and may be operated and maintained such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented.
5. Condition 5 is included to require that the Works be properly operated and maintained such that the environment is protected.
6. Conditions 6 and 7 are included to provide a performance record for future references, to ensure that the Ministry is made aware of problems as they arise, and to provide a compliance record for all the terms and conditions outlined in this Approval,so that the Ministry can work with the Owner in resolving any problems in a timely manner.

SCHEDULE 'A'

1. Environmental Compliance Approval Application for Private Sewage Works submitted by Albert Florindo, AMF Excavating, and signed by Anthony Smodis, Owner, dated December 9, 2019, and all supporting documentation and information.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

- a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

AND

The Minister of the Environment,
Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

AND

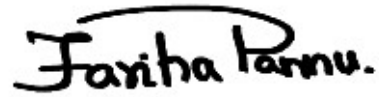
The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or www.ert.gov.on.ca**

This instrument is subject to Section 38 of the Environmental Bill of Rights, 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at <https://ero.ontario.ca/>, you can determine when the leave to appeal period ends.

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 17th day of April, 2020



Fariha Pannu, P.Eng.

Director

appointed for the purposes of Part II.1 of the
Environmental Protection Act

AA/

c: District Manager, MECP Thunder Bay - District Office
Albert Florindo, AMF Excavating